

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Kay Carlquist, Guy Pfalzgraff and Bill Seuell, along with City Manager Lanny Sloan and City Attorney Mike Schottelkotte. Absent was Robert Jurca. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Carlquist to approve the minutes of June 23, 2009 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Delta Housing Authority Appointment

City Manager Lanny Sloan stated that staff has advertised for the open position with the Delta Housing Authority Board. We have received one application from Robert Barnes, who has served one full term on the board. Mr. Sloan recommended appointment of Robert Barnes to the Delta Housing Authority Board.

Councilmember Carlquist stated that Mr. Barnes has done a great job during his term on the board.

It was moved by Councilmember Carlquist and seconded by Councilmember Seuell to appoint Robert Barnes to the Delta Housing Authority Board. All in favor, motion carried.

**3.2% Beer Retail License Renewals
McGovern Enterprises, Inc. DBA Pizza Hut
City Market #4**

The Clerk reported that Pizza Hut and City Market have submitted their renewal applications for 3.2% Beer Retail Licenses. Both applications are complete and all fees have been paid. The Police Department has recommended renewal on both applicants.

It was moved by Councilmember Seuell and seconded by Councilmember Pfalzgraff to approve the 3.2% Beer Retail License for Pizza Hut and City Market #4. All in favor, motion carried.

Ballot Measures for November 3, 2009 Election

City Manager Lanny Sloan stated that the City has been proceeding with design of Confluence Drive for some time now. Design is slated to be complete this summer and construction could begin once all of the necessary right-of-way is acquired and construction funding is in place. It is recommended that Council approve proceeding with a ballot initiative for the November 3, 2009 election, which places the question of obligating the existing City Wide sales tax for a bond to help fund the construction of Confluence Drive. The bond question, once passed, would provide for a majority of the construction funding. The only cost at this point would be for the preparation of a Resolution that will be presented to Council. The election costs to the County that will be paid in November are already appropriated in this years budget.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to have staff proceed with the process to place the question of obligating the existing City Wide sales tax for a bond on the November ballot, and authorize participation with Delta County for a coordinated election. All in favor, motion carried.

Regular Meeting, Delta City Council, July 7, 2009 (Cont.)

Resolution #2, 2009; Setting Public Hearing on the Annexations of the Thompson Addition

Community Development Director Glen Black explained that this is a resolution to set a public hearing for the annexation of the Thomas Addition. Mr. Black presented a power point presentation showing the lot proposed to be annexed. This lot's septic system has failed and is not large enough to repair the system therefore the need to hook up to City sewer.

Councilmember Carlquist questioned if this is an enclave.

Mr. Black stated that it is not an enclave.

There was discussion regarding enclaves and why this lot was not annexed at the time of the other annexations in the area.

Councilmember Carlquist also questioned if the next lot is also being annexed.

Mr. Black stated that they are not interested at this time.

Councilmember Pfalzgraff questioned what City services the lot at 941 is receiving.

Mr. Black reported that they are receiving City water and they still have a functioning septic system.

Mr. Mathews explained the process of transferring the water from Tri County water.

Councilmember Pfalzgraff stated that 941 should also be annexed.

City Attorney Michael Schottelkotte stated that he didn't feel that there was any legal basis to do that.

Mr. Mathews explained that they are receiving the outside water rate.

Councilmember Pfalzgraff questioned that City water and sewer services are being served at this time.

Mr. Black responded that because the septic system failed and it was immediate that they get the sewer service, an annexation agreement was submitted.

Resolution #2, 2009

A RESOLUTION OF THE CITY OF DELTA SETTING A PUBLIC
HEARING ON THE ANNEXATION OF THE THOMPSON
ADDITION

was read by the Clerk.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to adopt Resolution #2, 2009. Roll call vote: Councilmembers Carlquist aye, Pfalzgraff aye, Seuell aye and Cooper aye. Motion carried.

Request from Delta Housing Authority

City Manager Lanny Sloan stated that Delta Housing Authority (DHA) has requested \$50,000 that was in the budget in 2009. He reported that at this point he is unsure what this request is for. Mr. Sloan stated that he would like to talk with DHA to find out more information.

Councilmember Carlquist reported that she has briefly talked with Jo Rosenquist about the need but would like a detailed explanation.

It was moved by Councilmember Carlquist and seconded by Seuell to table the request from the Delta Housing authority for \$50,000 for a later date. All in favor, motion carried.

Regular Meeting, Delta City Council, July 7, 2009 (Cont.)

City Attorney Comments

City Attorney Michael Schottelkotte stated that he would request that Council review the memo that he has distributed to them tonight before this meeting. He would request an executive session at the next regular meeting to discuss the contents of that memo. He reminded Council of the mediation scheduled for July 29th.

City Manager Comments

City Manager Lanny Sloan has invited Rod Myers and Fay Mathews to discuss the purchase of a new trash truck.

Utilities Director Fay Mathews introduced Rod Myers as the fleet manager for the City.

Mr. Mathews reported that in 2010 there was budgeted for a new trash truck. He explained that with the new EPA standards in place there has added a considerable amount to the cost of the truck. If staff waits until after September 1, 2009 there will be an additional \$10,000 to \$15,000 added to the cost of the truck. Mr. Mathews explained that staff would not receive nor pay for the truck until 2010. He needs Council's approval to order the truck before September 1, 2009.

Councilmember Seuell questioned if there were alternatives to diesel.

Mr. Mathews explained the different availabilities.

There was discussion on the type of truck staff is looking out at.

Mr. Mathews also explained the purchasing process with the trade in on the current truck.

There was a consensus for staff to proceed in the bid process for purchasing a trash truck.

Councilmember Comments

Councilmember Carlquist thanked the Chamber Board for stepping in for Deltarado Days and keeping the office running.

Mayor Cooper reported on rough road at the corner of 9th and Main.

Executive Session

It was moved by Councilmember Seuell and seconded by Councilmember Carlquist for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically discussions on the Upper White Ranch, Tri County Water and Tri State. All in favor, motion carried.

At 7:25 p.m. the Regular Meeting was recessed. The Executive Session was convened a short time later.

At 7:58 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Kay Carlquist, Guy Pfalzgraff and Bill Seuell, along with City Manager Lanny Sloan, City Clerk Jolene Nelson, Assistant City Manager Steve Glammeyer and Utilities Director Fay Mathews. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

Jolene E. Nelson, City Clerk